

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 33

October 25, 2002

**SUBJECT: PURCHASE OF CONCEALABLE FIREARMS AND/OR LARGE CAPACITY MAGAZINES BY SWORN OFFICERS-REVISED**

**PURPOSE:** State and federal laws require a waiting period for the purchase of firearms and large capacity magazines. Federal Firearm Licensed Dealers are aware of these waiting period restrictions and when the waiting period can be waived for full-time paid peace officers who present a waiver letter from their employer. The purpose of these "waiver" exceptions is to allow officers to immediately purchase authorized weapons for their protection and to protect the public.

This Order revises Department procedure for sworn personnel requesting a waiver letter(s) to purchase a concealable firearm and/or large capacity magazine(s). It also introduces waiver letter exemplars for the purchase of a concealable firearm and/or large capacity magazine(s), which meet the requirements of federal and State law.

**PROCEDURE:**

- I. OFFICER'S RESPONSIBILITY.** Officers requesting a 10-day waiver letter to purchase an authorized on-duty or off-duty concealable firearm and/or large capacity magazine(s) shall request and obtain approval from his/her commanding officer. Officers shall indicate the name and address of the business where the concealable firearm/large capacity magazine(s) will be purchased and a complete description of the concealable firearm and/or large capacity magazine(s) to be purchased including the type, make, model, barrel length, finish, capacity and caliber. The firearm shall be on the Department's Approved Firearms list maintained by the Firearms Training Unit (FTU), Training Division (Attachment I).

**Note:** The Department's Approved Firearms list may change periodically, therefore officers should contact the FTU, Training Division, to ensure the firearm is authorized.

**II. COMMANDING OFFICER'S RESPONSIBILITY.** The commanding officer shall either approve or deny the request. The commanding officer's approval also certifies that the officer has no restrictions on his/her ability to carry a firearm or possess large capacity magazines (e.g., domestic violence conviction, subject to a court order, etc.).

**Note:** In compliance with the Bureau of Criminal Information and Analysis, California Department of Justice, the Department is prohibited from using the California Law Enforcement Telecommunications System to access State summary criminal history information to determine if an officer is prohibited from possessing a firearm(s).

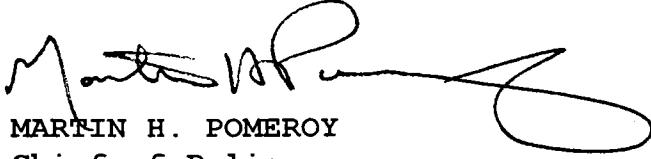
- A. Department Approved Firearms.** Upon approval of the request, a waiver letter shall be completed and provided to the officer (Attachment II).
- B. Large Capacity Magazine(s).** Upon approval of the request, a separate waiver letter shall be completed and provided to the officer (Attachment III).
- C. Exigent Circumstances.** In the event of an exigent circumstance, a waiver letter may be appropriate allowing an officer to purchase a firearm that is not authorized for on-duty or off-duty use (e.g., an officer needs a weapon to protect his/her family from a credible threat arising from his/her employment). In such cases, the officer's bureau commanding officer is authorized to grant the waiver.

**Note:** A waiver letter to purchase a firearm for the purpose of a shooting competition does not amount to an exigent circumstance.

**AMENDMENTS:** This Order revises Section 3/610.19 of the Department Manual.

October 25, 2002

**AUDIT RESPONSIBILITY:** Each bureau commanding officer or equivalent shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

A handwritten signature in black ink, appearing to read "Martin H. Pomeroy", with a large, stylized flourish at the end.

MARTIN H. POMEROY  
Chief of Police

Attachments

DISTRIBUTION "A"

# LOS ANGELES POLICE DEPARTMENT

## APPROVED HANDGUNS

### PRIMARY HANDGUNS – UNIFORM DUTY

Beretta pistols: 92F, 92FS, 92FS – S/S, 8045 (4" barrel)

Smith & Wesson pistols: 459, 5904, 5903, 659, 5906, 645, 4506, 4566, 4567, 5903 TSW, 5906 TSW, 4563 TSW, 4566 TSW

Note: If you were issued a 9mm pistol in the Academy, you are not authorized to carry a revolver as your primary weapon.

### ADDITIONAL HANDGUNS (Non-uniform on-duty, backup, off-duty)

Beretta pistols: 92F, 92FS, 92FS – S/S, 92SBF, Compact 92FM, 8045, 8000 Cougar F, 8000 Mini Cougar

Smith & Wesson pistols: 439, 3904, 3913, 639, 3906, 3914, 469, 6904, 669, 6906 645, 4506, 4513 TSW, 4516, 4566, 4567, 457, 908, 910, 3913 TSW, CS9, CS45, 5903 TSW, 5906 TSW, 4563 TSW, 4566 TSW

Smith & Wesson revolvers (.38 Special caliber):

Model 10	2", 3", 4" or 6"	blue steel
Model 14	4", 5" or 6"	blue steel
Model 15	2", 4", 5", or 6"	blue steel
Model 36	2" or 3"	blue steel
Model 60	2" or 3"	stainless steel
Model 64	2", 3", 4" or 6"	stainless steel
Model 67	4"	stainless steel
Model 68	6"	stainless steel

The following Smith & Wesson revolvers are approved only in .38 Special caliber and with a 2" barrel:

49, 649, 637, 638, 337, 337PD, 36LS, 342, 342PD, 442, 642, 642LS

Colt revolvers: No airweights 2"  
No pre-1955 models  
(no model number on yoke)

# LOS ANGELES POLICE DEPARTMENT



**WILLIAM J. BRATTON**  
Chief of Police

P. O. Box 30158  
Los Angeles, Calif. 90030  
Telephone: (213) 485-3202  
Ref #: 3.3.1

**James K. Hahn**  
Mayor

Date

(Title First & Last Name)

Company

Address

City, State Zip Code

RE: Officer (Name), Serial No. \_\_\_\_\_

Dear (Title & Last Name):

This is a letter of verification to a duly licensed firearms dealer that Officer (Name), is a full time paid peace officer of the Los Angeles Police Department (LAPD). He/she is authorized to purchase a firearm within the ten day waiting period under the provisions of California Penal Code Section 12078 (a) (1) while in the performance of his/her duties as authorized by law.

This is a request that the following listed handgun(s) be released to the above named officer upon application of purchase.

## HANDGUN(S)

Make

Model

Caliber

Barrel Length

Finish

If you need additional information, please contact (designated Area/division representative).

Very truly yours,

**WILLIAM J. BRATTON**  
Chief of Police

Commanding Officer's Signature Block

ATTACHMENT II

# LOS ANGELES POLICE DEPARTMENT



**WILLIAM J. BRATTON**  
Chief of Police

P. O. Box 30158  
Los Angeles, Calif. 90030  
Telephone: (213) 485-3202  
Ref #: 3.3.1

**James K. Hahn**

Mayor

Date

(Title First & Last Name)

Company

Address

City, State Zip Code

RE: Officer (Name), Serial No. \_\_\_\_\_

Dear (Title & Last Name):

This is a letter of verification to a duly licensed firearms dealer that Officer (Name), is a full time paid peace officer of the Los Angeles Police Department (LAPD). He/she is authorized to possess large capacity magazines under the provisions of the Code of Federal Regulations Section 178.132 while in the performance of his/her duties as authorized by law.

## OFFICER'S STATEMENT:

Under penalty of perjury, I (Officer's Name) state the large capacity ammunition feeding device is being purchased for use in official duties and the large capacity ammunition feeding device is not being acquired for personal use or for purposes of transfer or resale.

Officer's Signature \_\_\_\_\_ Serial No. \_\_\_\_\_

## COMMANDING OFFICER'S STATEMENT:

Under penalty of perjury, the purchasing officer is acquiring the large capacity ammunition feeding device for use in official duties, the large capacity ammunition feeding device is suitable for use in performing official duties, and it is not being acquired for personal use or for purposes of transfer or resale.

Commanding Officer's Signature \_\_\_\_\_ Serial No. \_\_\_\_\_

This is a request that the following listed large capacity magazine(s) be released to the above named officer upon application of purchase:

Title First & Last Name

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3.3.1

**LARGE CAPACITY MAGAZINES**

Make

Caliber

Capacity

Finish

If you need additional information, please contact (designated Area/division representative).

Very truly yours,

WILLIAM J. BRATTON

Chief of Police

Commanding Officer's Signature Block

**EXEMPLAR**